



Atty. Dkt. No. EPI3002E  
(formerly EPICYTE-1)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiatt et al.  
Title: METHODS FOR PRODUCING  
IMMUNOGLOBULINS  
CONTAINING PROTECTION  
PROTEINS IN PLANTS AND  
THEIR USE  
Appl. No.: 09/982,107  
Filing Date: 10/16/2001  
Examiner: Unknown  
Art Unit: 1638

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

Pridge McDougall  
(Printed Name)  
Pridge McDougall  
(Signature)  
March 5, 2002  
(Date of Deposit)

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed on November 5, 2001, in the above-identified application, transmitted herewith are the missing parts needed to complete the filing of the subject patent application.

Enclosed are:

1. Copy of Notice to File Missing Parts (Part 2 of Form PTO-1533);
2. Declaration and Power of Attorney;
3. Revocation of Prior Powers of Attorney by Assignee, Appointment of New Power of Attorney by Assignee, Change of Correspondence Address;
4. Copy of Response to Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, filed under separate cover to BOX SEQUENCE;
5. Check for \$1,270.00; and
6. Return Postcard.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for respons filed within the first month:	\$110.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$400.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$400.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$400.00

The filing fee has been calculated as shown below

	Claims as Filed		Included in Basic Fee		Extra Claims		Rate		Fee Totals
Basic Fee							\$740.00		\$740.00
Total Claims:	<u>1</u>	-	<u>20</u>	=	<u>0</u>	x	\$18.00	=	\$0.00
Independents:	<u>1</u>	-	<u>3</u>	=	<u>0</u>	x	\$84.00	=	\$0.00
If any Multiple Dependent Claim(s) present:						+	\$280.00	=	\$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration						+	\$130.00	=	\$130.00
							SUBTOTAL:	=	\$870.00
[ ]	Small Entity Fees Apply (subtract ½ of above):						=	\$0.00	
							Two Month Extension of Time		\$400.00
							TOTAL FILING FEE:	=	\$1,270.00

☒ Enclosed is a check in the total amount of \$1,270.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: March 5, 2002

FOLEY & LARDNER  
P. O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6700  
Facsimile: (858) 792-6773

By Barry Wilson  
Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431

50532

FOLEY & LAMONER  
PETTY CASH ACCOUNT DEL MARP.O. BOX 80278 PH. 858-847-6700  
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\$ 1,270.00

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TWO SIGNATURES REQUIRED OVER \$1,000.00 DOLLARS

*Barbara M Jones*  
*Stacy A Taylor*

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/982,107	10/16/2001	Andrew C. Hiatt	EPICYTE-1

CONFIRMATION NO. 6455

## FORMALITIES LETTER



\*OC000000007023825\*

BAKER & MCKENZIE  
12th Floor  
101 West Broadway  
San Diego, CA 92101

Date Mailed: 11/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/18/2002 SFELEKE1 00000059 09982107

FILED UNDER 37 CFR 1.53(b)

01 FC:101  
02 FC:105

740.00 DP  
130.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

DOCKETED

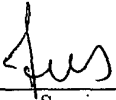
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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at  
patin21h lp@uspto.gov or patin3help@uspto.gov

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY



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*Pridge McDougall*

(Printed Name)

*Pridge McDougall*

(Signature)

*March 5, 2002*

(Date of Deposit)

**TRANSMITTAL**

Commissioner for Patents  
BOX SEQUENCE  
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

1. Response to Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Copy of Notice to File Missing Parts of Nonprovisional Application (requesting compliance with the requirements for applications containing sequence disclosures);
3. Copy of Transmittal of Missing Parts of Application and check as filed under separate cover with Box Missing Parts;
4. Computer Disk Containing Sequence Listing;
5. Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825; and
6. Sequence Listing Paper Copy (duplicate of application sequence listing).

A petition for a two-month extension of time and a check which includes the \$400.00 petition fee were filed under separate cover with the other missing parts to Box Missing Parts (copies enclosed). The Commissioner is hereby authorized to charge any

additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

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By



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Registration No. 39,431